

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KENNETH GARY MURPHY, JR.,	:	
Petitioner	:	
	:	No. 1:20-cv-1232
v.	:	
	:	(Judge Kane)
BARRY SMITH, <u>et al.</u>,	:	
Respondents	:	

ORDER

AND NOW, on this 30th day of April, 2021, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT**:

1. Petitioner's petition for writ of habeas corpus (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** as untimely;
2. A certificate of appealability shall not issue; and
3. The Clerk of Court is directed to **CLOSE** the above-captioned case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania